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July 2, 2018

Jeff S. Jordan
Assistant General Counsel
Office of Complaints Examination
& Legal Administration
Federal Election Commission
1050 First Street, NE
Washington, DC 20463

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OFFICE OF
GENERAL COUNSEL

***Re: Response of Rick Scott for Florida, Salvatore Purpura in his capacity as
Treasurer of Rick Scott for Florida, and Governor Rick Scott in MUR 7381***

Dear Mr. Jordan:

This Response is submitted by the undersigned counsel on behalf of Rick Scott for Florida, Salvatore Purpura, in his capacity as Treasurer of Rick Scott for Florida, and Governor Rick Scott ("Respondents") in response to the May 9, 2018, complaint from End Citizens United, designated as Matter Under Review 7381 ("Complaint"). For the reasons set forth below, the Commission should find no reason to believe that the Respondents violated the Federal Election Campaign Act of 1971, as amended (the "Act"), or any Commission regulation ("Regulations"). Accordingly, the Complaint warrants no further consideration and should be promptly dismissed.

The Complaint alleges that Respondents violated the reporting requirements set forth in 11 C.F.R. Part 104; specifically, by failing to file a report for a quarter ending prior to their respective dates of registration. By their own account, Complainants rest this claim on a mere assumption and fail to provide any viable evidence that any such violation occurred. This allegation, therefore, is not only devoid of any semblance of merit, but demonstrates a clear lack of understanding of the applicable law.

The Act and Regulations require an individual register as a candidate once he or she, or his or her agent, has raised or spent over \$5,000 in connection with a federal election. 11 C.F.R. § 100.3(a)(1), (2). Within fifteen days of exceeding the \$5,000 threshold, the candidate must file a Form 2 Statement of Candidacy designating a principal campaign committee. 11 C.F.R. §§ 101.1(a), 102.12(a). Within 10 days of such designation, the campaign committee must then file

a Form 1 Statement of Organization. 11 C.F.R. § 102.1(a). Upon registration, committees must begin filing regular reports.¹

Rick Scott became a candidate for United States Senate on March 26, 2018, officially announcing his candidacy on April 9, 2018. He filed his FEC Form 2 Statement of Candidacy on April 8, 2018, designating Rick Scott for Florida as his principal campaign committee. Rick Scott for Florida then filed its Form 1 Statement of Organization on April 10, 2018.

Based on the foregoing, it is clear that Scott and his campaign committee filed all requisite registration paperwork squarely within the statutory windows. Additionally, because these filings took place during the quarter beginning on April 1, 2018 and ending on June 30, 2018, Rick Scott for Florida's first regular report, which will include all previous financial activity, is due July 15, 2018 – the first regular reporting deadline occurring after registration. Even assuming that contributions were received prior to timely filing, it does nothing to change the fact that filing obligations cannot be imposed until a committee files a statement of organization. No committee existed prior to April 10, 2018; therefore, no reporting obligation could exist.

Because no reporting obligation was incurred until after Rick Scott for Florida's April 10, 2018 filing of its Form 1 Statement of Organization, Respondents in no way violated the provisions of 11 C.F.R. Part 104 as Complainants contend. Additionally, because any previous financial activity relative to Scott's candidacy such as the Governor's personal payments for "testing the waters" activities and any donations received prior to April 1 will be included in the first regular report, the stated concerns regarding transparency and public disclosure underlying the Complaint are, indeed, moot. Accordingly, the allegations contained in the Complaint fail to withstand scrutiny, and we urge the Commission to promptly dismiss the matter without further action.

Sincerely,



Jason Torchinsky
Counsel to Rick Scott for Florida

¹ See Federal Election Commission, *Quick Answers to Candidate Questions (stating twice that regular reporting commences after committee registration)*, https://transition.fec.gov/ans/answers_candidate.shtml#report (last visited June 19, 2018).